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MEMBER OF OAKLAND-BASED ARMED ROBBERY CREW SENTENCED TO MORE THAN THIRTEEN YEARS IN PRISON

OAKLAND, Calif. – A member of an Oakland-based armed robbery crew was sentenced today to a total of 159 months in prison by United States District Judge Claudia Wilken, for his participation in a series of armed robberies that targeted businesses throughout the Bay Area, United States Attorney Melinda Haag announced.

According to court documents, San Kwen Saephan, 29, of Oakland, was a member of an armed robbery crew that committed several violent armed robberies between December 2007 and January 2008. During these robberies, the victims (many of whom were teenage girls) were held at gunpoint, threatened with death, and physically restrained. Saephan and the rest of the crew typically took the victims' cash, credit/debit cards, and identifications.

"The Department of Justice takes gun crimes seriously and is dedicated to arresting and prosecuting to the fullest extent of the law those individuals who use guns to terrorize law-abiding citizens," U.S. Attorney Haag said. "My office will continue to work with our federal, state and local law-enforcement partners to dismantle violent criminal groups and help maintain law and order in the Northern District of California."

The first robbery occurred on Dec. 30, 2007. According to court documents, on that date, Saephan and his co-conspirators Kao Saeturn, Davis Kiet Dang, and Jantar "Kelly" Phun traveled from Oakland to a massage parlor in San Rafael, Calif. Saeturn, Saephan, and Dang went inside the business and Saeturn pointed a Glock 17 pistol at a woman demanding her money. After taking her purse and a necklace, the entire group drove back to Oakland to divide up the robbery proceeds.

The second robbery occurred on Jan. 6, 2008. According to court documents, on that date, the same group robbed a professional massage business in El Cerrito, Calif. Again, Saeturn, Saephan, and Dang went inside the business. Once inside, Saeturn kicked open the office door and pointed his Glock at two women and took their money. Meanwhile, Saephan and Dang went into one of the private massage rooms where they encountered a male customer lying face down on a massage table. Saephan pointed a replica firearm at the man and demanded his money while Dang attempted to bind the man's hands behind his back with duct tape. Saeturn eventually ordered that they leave, and the three robbers fled.

According to court documents, just two nights later, on Jan. 8, 2008, Saeturn, Saephan, and Soeung "Goofy" Mouv robbed a karaoke club in Hayward, Calif. Saeturn and Saephan went to a room and robbed four teenage girls and a fifty-three year-old man at gunpoint. Saeturn and Saephan made the man get on his knees and put his hands behind his back. They then tied the man's hands behind his back and his ankles together with microphone cord and pointed a gun at his head. Mouv pointed a .38 caliber revolver at another man's stomach, forced him into another room, and tied his hands behind his back and his ankles together using microphone cord. After robbing two more teenage girls and another man at gunpoint, Saeturn and Saephan encountered a woman and grabbed her and tried to force her into a dark room. The woman resisted by grabbing onto a door frame. Saeturn and Saephan broke the woman's collarbone in the process of ripping her purse off her shoulder and then ran out of the business.

"This case is another example of violent criminals using firearms, putting the public at risk and terrorizing our

communities,” stated Special Agent in Charge Stephen C. Herkins. “Without question violent crime is ATF’s top priority and along with our state, local and federal partners we will continue to aggressively pursue these criminals and hold them accountable for their crimes.”

On July 16, 2008, a federal grand jury returned a second superseding indictment charging Saephan with one count of conspiracy to interfere with commerce by robbery and extortion; three counts of interference with commerce by robbery and extortion; and three counts of using, carrying, and brandishing a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. §§ 1951(a), and 924(c)(1)(A)(ii). On Dec. 9, 2009, Saephan pleaded guilty pursuant to a plea agreement to one count of conspiracy to interfere with commerce by robbery and extortion; two counts of interference with commerce by robbery and extortion; and one count of using, carrying, and brandishing a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. §§ 1951(a), and 924(c)(1)(A)(ii).

On Oct. 28, 2009, Kao Saeturn, the leader of the robbery crew, pleaded guilty to conspiracy to interfere with commerce by robbery and extortion; interference with commerce by robbery and extortion; and brandishing a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. §§ 1951(a) and 924(c)(1)(A)(ii), based on his participation in the robberies and his role as the organizer/leader of the robbery crew. On Aug. 4, 2010, Judge Wilken sentenced Saeturn to a total term of imprisonment of 272 months.

On Aug. 12, 2009, Soeung Mouv pleaded guilty to conspiracy to interfere with commerce by robbery and extortion; interference with commerce by robbery and extortion; possession with intent to distribute methamphetamine; possession of a firearm in furtherance of a drug trafficking crime; and felon in possession of a firearm in violation of 18 U.S.C. §§ 1951(a), 924(c)(1)(A)(i), 922(g)(1), and 21 U.S.C. § 841(a)(1), stemming from his involvement in the karaoke club robbery and a subsequent arrest for possession of narcotics for sale and a firearm. On Oct. 28, 2009, Judge Wilken sentenced Mouv to a fifteen-year prison term.

Saephan, who has been in custody since his February 2008 arrest, will begin serving his 159-month sentence after he completes six months that remain of a three-year state prison term he was previously serving. In addition to the federal prison term, Judge Wilken also sentenced Saephan to a five-year term of supervised release during which he may be searched by any federal, state or local law enforcement officer with or without cause. Saephan was also ordered to pay a \$400 special assessment.

Assistant United States Attorney Garth Hire, of the United States Attorney’s Office’s Organized Crime Strike Force, prosecuted the case with the assistance of Legal Technician Kathleen Turner.

The conviction and sentence were the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives, the California Highway Patrol, the Hayward Police Department, the California Department of Corrections and Rehabilitation, the Federal Bureau of Investigation, the Oakland Police Department, the El Cerrito Police Department, and the San Rafael Police Department.

Further Information:

Case #: CR 08-0246 CW

A copy of this press release may be found on the U.S. Attorney’s Office’s website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges’ calendars with schedules for upcoming court hearings can be viewed on the court’s website at www.cand.uscourts.gov.

All press inquiries to the U.S. Attorney’s Office should be directed to Jack Gillund at (415) 436-6599 or by email at Jack.Gillund@usdoj.gov.

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